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TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

GORTAYO, DANGELINO N

ART UNIT	PAPER NUMBER
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2168

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06/28/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/731,235	Applicant(s) YONEYAMA, KAZUTO	
	Examiner DANGELINO N. GORTAYO	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24, 25 and 27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24, 25 and 27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In the amendment filed on 5/3/2010, claims 24, 25, and 27 have been amended.
The currently pending claims considered below are Claims 24, 25, and 27.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 24, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanazawa et al (US Patent 6,580,870 B1) in view of Mohan et al (US Patent 7,313,809 B1)

As per claim 24, Kanazawa teaches "A device for reproducing a content recorded on a recording medium, the device comprising:" (see Abstract)

"a recording medium control module configured to reproduce the content from the recording medium;" (column 4 lines 44-53, column 14 lines 10-19, wherein a drive accepts and reproduces content from a recording medium containing audiovisual information)

"a network control module coupled with the recording medium control module, the network control module configured to download content;" (column 4 lines 53-62,

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column 6 lines 14-30, column 8 lines 10-21, wherein a communication control section and modem connects to a server containing content)

“a playback control module coupled with the recording medium control module and the network control module, the playback control module configured to output the content reproduced by the recording medium control module and/or the content downloaded by the network control module;” (column 6 line 61 – column 7 line 10, column 7 line 53 – column 8 line 9, column 15 lines 11-31, wherein data from the recording medium is streamed and outputted)

“and a system control module coupled with the recording medium control module and the network control module, the system control module configured to control the operations of the recording medium control module and the network control module;” (column 4 lines 45-53, column 6 lines 51-60, column 8 lines 22-65, column 14 lines 10-16, wherein a CPU controls the operations of the communicator and drive containing the recording medium)

wherein the content recorded on the recording medium includes all of the following: audiovisual content, identification information for identifying the audiovisual content, universal resource locator (URL) information for indicating a location of a related content which relates to the audiovisual content, and data which includes information represents a first state to direct the related content to be downloaded or a second state to direct the related content to be downloaded and presented to a user (column 4 line 65—column 5 line 54, column 8 lines 10-46, wherein the recording medium contains audiovisual information, title information, identifier information, URL

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information to access servers containing content, and link information to connect to resources for accessing content related to the data in the recording medium)

wherein the recording medium control module reproduces the data on the recording medium, and the system control module determines whether a request is for downloading the related content or for downloading and presenting the related content, by reproducing the data which includes information representing the first or second state; (column 6 lines 32-50, column 7 line 53 – column 8 line 9, column 11 lines 17-38, column 15 lines 34-57, wherein the drive reads data from the recording medium through a playback module and a request to download additional content from a remote server is determined by the stream or scene information)

“and wherein, if the data includes information which represents the first state that the related content is to be downloaded, the system control module is further configured to instruct the network control module to connect with the server using the URL information and the data reproduced by the recording medium control module, to send the content identification information reproduced by the recording medium control module to the server, to download the related content from the server using the data to execute a command to connect the device to the server automatically after reproduction of the data;” (Figure 11A, 19A, column 5 lines 18-54, column 6 lines 42-60, column 7 line 53 - column 8 line 46, column 15 lines 34-57, column 16 lines 1-58, wherein, during playback, audiovisual information is identified and the user is presented with information related to the recording medium data and to the information retrieved from the server)

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the system control module is further configured to instruct the playback control module to play back the related content, automatically (column 5 lines 34-54, column 7 line 53 - column 8 line 46, column 15 lines 34-57, column 16 lines 1-58, wherein additional information from a server is simultaneously presented with the audiovisual information from the recording medium if it is determined to be played back)

While Kanazawa teaches a state to direct the related content from a server to be downloaded and automatically presented to the user (column 5 lines 10-54, column 8 lines 21-46, column 11 lines 17-39, wherein it is determined, based on time or user actions, if HTML contents from a server are downloaded and presented to a user during playback), Kanazawa does not specifically disclose a second state to direct the related content to be downloaded and played back, the system control module further configured to instruct the network control module to connect with the server using the URL information and the data reproduced by the recording medium control module, to send the content identification information reproduced by the recording medium control module to the server, to download the related content from the server using the data to execute a command to connect the device to the server automatically after the reproduction of the data, and to instruct the playback control module to play back the related content, automatically.

Mohan teaches a second state to direct the related content to be downloaded and played back, the system control module further configured to instruct the network control module to connect with the server using the URL information and the data reproduced by the recording medium control module, to send the content identification

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information reproduced by the recording medium control module to the server, to download the related content from the server using the data to execute a command to connect the device to the server automatically after the reproduction of the data, and to instruct the playback control module to play back the related content, automatically (column 1 lines 48-67, column 2 lines 35-47, column 3 line 46 – column 4 line 20, wherein a recording medium contains corresponding URL information to determine when an event happens, prompting download and playback of streaming content as specified by the URL).

It would have been obvious for one of ordinary skill in the art to combine Kanazawa's method reproducing audiovisual information from a recording medium with related content to be downloaded from related URLs in the recording medium with Mohan's ability to utilize URLs related to a recording medium to download and play back streaming information. This gives the user the advantage of being able to download and playback streaming content related to a recording medium currently being played by a user. The motivation for doing so would be to provide a user with dynamic content when viewing information in a recording medium that is able to be updated and personalized (column 1 lines 21-33)

As per claim 25, Kanazawa teaches “A method for reproducing a content recorded on a recording medium, the method comprising:” (see Abstract)

reproducing audiovisual content, identification information for identifying the audiovisual content, universal resource locator (URL) information for indicating a

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location of a related content which is related to the audiovisual content, and data which includes information represents a first state to direct the related content to be downloaded or a second state to direct the related content to be downloaded and presented to the user; (column 4 line 65—column 5 line 54, column 8 lines 10-46, wherein the recording medium contains audiovisual information, title information, identifier information, URL information to access servers containing content, and link information to connect to resources for accessing content related to the data in the recording medium)

“reproducing the data on the recording medium, determining whether a request is for downloading the related content or for downloading and presenting to the user the related content, is determined by the reproducing of the data, which includes information represents the first or second state;” (column 6 lines 32-50, column 7 line 53 – column 8 line 9, column 11 lines 17-38, column 15 lines 34-57, wherein the drive reads data from the recording medium through a playback module and a request to download additional content from a remote server is determined by the stream or scene information)

“if the data includes information which represents the first state that the related content is to be downloaded, connecting with the server, automatically after the reproduction of the data, using the URL information and the data reproduced from the recording medium;” (column 4 lines 53-62, column 5 lines 18-54, column 6 lines 42-60, column 7 line 53 - column 8 line 46, column 15 lines 34-57, column 16 lines 1-58, wherein, during playback, audiovisual information is identified and the user is presented

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with information related to the recording medium data and to the information retrieved from the server)

sending the content identification information reproduced from the recording medium to the server; (column 5 lines 46-54, column 8 lines 22-46, column 16 lines 1-58, wherein audiovisual information is identified and the user is presented with information related to the recording medium data and requests to download it and display the content)

downloading the related content from the server, (column 5 lines 46-54, column 8 lines 22-46, column 16 lines 1-58, wherein audiovisual information is identified and the user is presented with information related to the recording medium data and requests to download it and display the content)

and automatically playing back the related content which is downloaded from the server (Figure 11A, 19A, column 5 lines 34-54, column 7 line 53 - column 8 line 46, column 15 lines 34-57, column 16 lines 1-58, wherein additional information from a server is simultaneously presented with the audiovisual information from the recording medium if it is determined to be played back)

While Kanazawa teaches a state to direct the related content from a server to be downloaded and automatically presented to the user (column 5 lines 10-54, column 8 lines 21-46, column 11 lines 17-39, wherein it is determined, based on time or user actions, if HTML contents from a server are downloaded and presented to a user during playback), Kanazawa does not specifically disclose a second state to direct the related content to be downloaded and played back, and if the data includes information which

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represents the second state that the related content is to be downloaded and played back, connecting with the server, automatically after the reproduction of the data, using the URL information and the data reproduced from the recording medium, sending the content identification information reproduced from the recording medium, sending the content identification information reproduced from the recording medium to the server, downloading the related content from the server; and automatically playing back the related content which is downloaded from the server.

Mohan teaches a second state to direct the related content to be downloaded and played back, and if the data includes information which represents the second state that the related content is to be downloaded and played back, connecting with the server, automatically after the reproduction of the data, using the URL information and the data reproduced from the recording medium, sending the content identification information reproduced from the recording medium, sending the content identification information reproduced from the recording medium to the server, downloading the related content from the server; and automatically playing back the related content which is downloaded from the server (column 1 lines 48-67, column 2 lines 35-47, column 3 line 46 – column 4 line 20, wherein a recording medium contains corresponding URL information to determine when an event happens, prompting download and playback of streaming content as specified by the URL).

It would have been obvious for one of ordinary skill in the art to combine Kanazawa's method reproducing audiovisual information from a recording medium with related content to be downloaded from related URLs in the recording medium with

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Mohan's ability to utilize URLs related to a recording medium to download and play back streaming information. This gives the user the advantage of being able to download and playback streaming content related to a recording medium currently being played by a user. The motivation for doing so would be to provide a user with dynamic content when viewing information in a recording medium that is able to be updated and personalized (column 1 lines 21-33)

As per claim 27, Kanazawa teaches A method for recording a content on a recording medium (see Abstract)

comprising: recording an audiovisual content, recording an identification information for identifying the audiovisual content, recording a URL information indicating a location of a related content relating to the audiovisual content; (column 4 line 65—column 5 line 54, column 6 lines 37-50, wherein the recording medium contains audiovisual information, title information, identifier information, and URL information to access servers containing content)

and recording data which includes information which represents a first state to direct the related content to be downloaded or a second state to direct the related content to be downloaded and presented to the user; (column 4 line 65—column 5 line 54, column 8 lines 10-46, wherein the recording medium contains audiovisual information, title information, identifier information, URL information to access servers containing content, and link information to connect to resources for accessing content related to the data in the recording medium)

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wherein the data on the recording medium is reproduced by the reproducing device and, wherein whether a request is for downloading the related content or downloading and presenting the related content to the user is determined by reproducing the data which includes information represents the first or second state;" (column 6 lines 32-50, column 7 line 53 – column 8 line 9, column 11 lines 17-38, column 15 lines 34-57, wherein the drive reads data from the recording medium through a playback module and a request to download additional content from a remote server is determined by the stream or scene information)

"and wherein the URL information and the data are used for connecting with the server, sending the content identification information to the server automatically after the reproduction of the data, downloading the related content from the server if the data includes information which represents the first state that the related content is to be downloaded" (Figure 11A, 19A, column 5 lines 18-54, column 6 lines 42-60, column 7 line 53 - column 8 line 46, column 15 lines 34-57, column 16 lines 1-58, wherein, during playback, audiovisual information is identified and the user is presented with information related to the recording medium data and to the information retrieved from the server)

Wherein the URL information and the data are used for connecting with the server, sending the content identification information reproduced from the recording medium to the server; (column 5 lines 46-54, column 8 lines 22-46, column 16 lines 1-58, wherein audiovisual information is identified and the user is presented with information related to the recording medium data and requests to download it and display the content)

downloading the related content from the server, (column 5 lines 46-54, column 8 lines 22-46, column 16 lines 1-58, wherein audiovisual information is identified and the user is presented with information related to the recording medium data and requests to download it and display the content)

and automatically playing back the related content which is downloaded from the server (Figure 11A, 19A, column 5 lines 34-54, column 7 line 53 - column 8 line 46, column 15 lines 34-57, column 16 lines 1-58, wherein additional information from a server is simultaneously presented with the audiovisual information from the recording medium if it is determined to be played back)

While Kanazawa teaches a state to direct the related content from a server to be downloaded and automatically presented to the user (column 5 lines 10-54, column 8 lines 21-46, column 11 lines 17-39, wherein it is determined, based on time or user actions, if HTML contents from a server are downloaded and presented to a user during playback), Kanazawa does not specifically disclose a second state to direct the related content to be downloaded and played back, wherein the URL information and the data are used for connecting with the server, sending the content identification information to the server automatically after the reproduction of the data, downloading the related content from the server, and automatically playing back the related content which is downloaded from the server, if the data includes information which represents the second state that the related content is to be downloaded and played back.

Mohan teaches a second state to direct the related content to be downloaded and played back, wherein the URL information and the data are used for connecting

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with the server, sending the content identification information to the server automatically after the reproduction of the data, downloading the related content from the server, and automatically playing back the related content which is downloaded from the server, if the data includes information which represents the second state that the related content is to be downloaded and played back (column 1 lines 48-67, column 2 lines 35-47, column 3 line 46 – column 4 line 20, wherein a recording medium contains corresponding URL information to determine when an event happens, prompting download and playback of streaming content as specified by the URL).

It would have been obvious for one of ordinary skill in the art to combine Kanazawa's method reproducing audiovisual information from a recording medium with related content to be downloaded from related URLs in the recording medium with Mohan's ability to utilize URLs related to a recording medium to download and play back streaming information. This gives the user the advantage of being able to download and playback streaming content related to a recording medium currently being played by a user. The motivation for doing so would be to provide a user with dynamic content when viewing information in a recording medium that is able to be updated and personalized (column 1 lines 21-33)

Response to Arguments

4. Applicant's arguments, see page 6, filed 5/3/2010, with respect to the rejection of claims 24, 25 and 27 have been fully considered but they are not persuasive in view of

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new grounds of rejection. Amendments to the claims necessitated new grounds of rejection.

- a. Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. See MPEP 2111 [R-I]

Interpretation of Claims-Broadest Reasonable Interpretation

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

- b. Applicant's arguments is stated as a second state to direct the related content to be downloaded and played back from a server.

In regards to the argument, Examiner respectfully disagrees. The newly cited prior art of Mohan cited in response to amendments to the claims, teach a method wherein a recording medium, such as a DVD containing AV information, contains corresponding URL information to determine when an event happens, and prompting download and playback of streaming content from a server as specified by the URL (column 1 lines 48-67, column 2 lines 35-47, column 3 line 46 – column 4 line 20). As shown above, Kanazawa teaches utilizing stream and time information of the content playing, as well as user actions, from a recording

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medium to determine whether to download information from a server, or to download and present information to a user. The ability of Mohan to utilize events to determine whether download and playback of streaming information is needed is combined with the previously cited prior art of Kanazawa to teach determining whether download and play back of related content should be done by a device reproducing audiovisual information, that is able to download information from a server specified in related URLs. Therefore, Kanazawa in view of Mohan teaches a second state to direct the related content to be downloaded and played back from a server.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Katz et al. (US Patent 6,356,971 B1)

Rhoads et al. (US Patent 7,171,018 B2)

Roberts et al. (US Patent 7,308,485 B2)

Yoon et al. (US Patent 7,610,359 B2)

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANGELINO N. GORTAYO whose telephone number is (571)272-7204. The examiner can normally be reached on M-F 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dangelino N Gortayo/
Examiner, Art Unit 2168

Dangelino N. Gortayo
Examiner

/Tim T. Vo/
Supervisory Patent Examiner, Art
Unit 2168

Tim T. Vo
SPE